

**REMARKS**

Claims 1-23 are pending in the application. Claim 22 was rejected under 35 U.S.C. § 101. Claims 1-6, 8-18 and 20-22 were rejected under 35 U.S.C. § 102 (e). Claims 7 and 19 were rejected under 35 U.S.C. § 103 (a).

**Rejection Under 35 U.S.C. § 101**

Claim 22 was rejected under 35 U.S.C. § 101 because the Office Action states that the invention is directed to non-statutory subjected matter.

Applicants have responded by amending claim 22 and the specification.

**Rejection Under 35 U.S.C. § 102 (e)**

Claims 1-6, 8-18 and 20-22 were rejected under 35 U.S.C. § 102 (e) as being anticipated by U. S. Patent Application Number 2004/0059914 issued to Karaoguz dated March 25, 2004.

Applicants have avoided this ground of rejection for the following reasons.

Applicants' claim 1, as amended, now recites,

"an authentication device that authenticates a computing device, in communication with the authentication device, through employment of a determination that a current location of the authentication device matches an initial location of the authentication device;

wherein one or more private keys employable for encryption and/or decryption of information are erased upon an attempt to move the authentication device;"

Karaoguz does **not** teach this limitation. This is because Karaoguz discloses wireless devices that can be integrated with an authentication and identification feature and the wireless devices can operate as an authentication device, as stated in paragraph 0041. Furthermore, the wireless devices continue to authenticate users even when the wireless devices are moved. (See paragraph 0045) Thus, Karaoguz is missing the "wherein one or more private keys employable for encryption and/or decryption of information are erased upon an attempt to move the authentication device" elements, as recited in applicants' claim 1.

Thus, the clear teaching of Karaoguz is that one or more private keys employable for encryption and/or decryption of information are **not** erased upon an attempt to move the authentication device.

In view of the foregoing, applicants submit that Karaoguz does not describe each and every element of claim 1, and therefore claim 1 is not anticipated by Karaoguz. Since claims 2-13 depend from allowable claim 1, these claims are also allowable over Karaoguz.

Independent claims 14 and 22 each have a limitation similar to that of independent claim 1, which was shown is **not** taught by Karaoguz. For example, claims 14 and 22 recite, "wherein one or more private keys employable for encryption and/or decryption of information are erased upon an attempt to move the authentication device". Karaoguz does **not** teach this limitation for the above-mentioned reasons. Therefore, claims 14 and 22 are likewise allowable over Karaoguz. Since claims 15-21 depend from claim 14, these dependent claims are also allowable over Karaoguz.

Rejection Under 35 U.S.C. § 103 (a)

Claims 7 and 19 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Karaoguz in view of U. S. Patent Application Number 2007/0088950 issued to Wheeler dated April 19, 2007.

Applicants have avoided this ground of rejection for the following reasons.

As stated hereinabove, applicants' claim 1, as amended, now recites,

wherein one or more private keys employable for encryption and/or decryption of information are erased upon an attempt to move the authentication device;

Wheeler does **not** teach or suggest this limitation. This is because Wheeler discloses in paragraph 0146,

"the device is tamper resistant with zeroization capability (i.e., **physical tampering or intrusion** of the device should destroy the functionality of the digital signature component of the device and/or erase the private key)."

By contrast, applicants' claim 1 recites, "wherein one or more private keys employable for encryption and/or decryption of information are erased upon an attempt to **move** the authentication device". As known by those skilled in the art, to move, as used in applicants' claim 1, means to change the place or position of something. Since the private keys disclosed by Wheeler are not erased upon an attempt to change the place or position of the authentication device, then the private keys are not erased upon an attempt to move the authentication device. Thus, Wheeler is missing the "wherein one or more private keys employable for encryption and/or decryption of information are erased upon an attempt to move the authentication device" elements, as recited in applicants' claim 1.

Accordingly, since a person skilled in the art would not look to combine the references as suggested and since the combination would not result in the invention as claimed, applicants submit that the combination and resultant rejection are improper, and therefore claim 1 is allowable over the proposed combination. Since claim 7 depends from allowable claim 1, and claim 19 depends from independent claim 14, these dependent claims are also allowable for the same reasons set forth above for independent claims 1 and 14.

#### Claim Amendments

Claims 2-5, 7-12 and 15 were amended to add the term "and". Claims 3, 10, 15 and 21 were amended to add the term "the". No new matter has been added.

#### New Claim

New claim 23 has been added. Claim 23 provides an additional limitation for the authentication device. No new matter has been added.

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Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney.

Respectfully submitted,



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Dated: October 10, 2007

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